HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

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Writ Petition No.6602 of 2000

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Between:

C. Chakrapani

…Petitioner

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And

A.P. Transco, rep. by its Director,
Vidyut Soudha and another

…Respondents.

:: O R D E R ::

Counsel for the Petitioner: Sri K. Chaitanya

Counsel for the respondents: Sri Samineni Kishore

February 07, 2007

The petitioner who possesses the qualification of Diploma in Electronics and Communication Engineering and who worked as contract labour with the erstwhile Andhra Pradesh State Electricity Board (for short, 'the Board') has prayed for issue of a mandamus to the respondents to appoint him as Sub-Engineer in accordance with the policy contained in B.P.Ms.No.36, dated 18-5-1997 issued by the Board.

It is borne out from the record that the petitioner had filed Writ Petition No.28232 of 1997 for issue of a mandamus to the respondents to appoint him as Sub-Engineer in accordance with the policy contained in B.P.Ms.Nos.36 and 37, dated 18-5-1997. The same was disposed of by the learned Single Judge on
29-10-1997 by directing the respondents to consider the petitioner's claim in the light of the policy framed by the Board and also in accordance with law relating to his eligibility. In furtherance of that order, the petitioner's candidature was considered for appointment as Sub-Engineer, but he was not found eligible and, on that account, his candidature was rejected.

On the last date of hearing, the case was adjourned to enable learned counsel for the parties to show the qualifications prescribed for the post of Sub-Engineer. Today, Shri Samineni Kishore, learned counsel representing the respondents, produced the Andhra Pradesh State Electricity Board Service Regulations (for short, 'the Service Regulations'), which have been framed under Section 79 (c) of the Electricity (Supply) Act, 1948. A perusal of Annexure-III appended to Part III of the Service Regulations shows that the qualification prescribed for appointment on the post of Sub-Overseer (re-designated as Sub-Engineer) is Diploma in Electrical/Mechanical/Civil/Telecom Engineering or any other equivalent qualification recognised by the Government of Andhra Pradesh/Board.

Admittedly, the petitioner does not possess the qualification of Diploma in Electrical Engineering, which is a must for appointment on the post of Sub-Engineer (Electrical). Therefore, the decision taken by the competent authority to reject his candidature cannot be faulted.

The qualification of Diploma in Electronics and Communication Engineering is not shown to have been recognised by the Government

of Andhra Pradesh or the Board as equivalent to Diploma in Electrical Engineering. Therefore, it is not possible to entertain the prayer of the petitioner for issue of a mandamus to the respondents to consider his case for appointment as Sub-Engineer (Electrical).

In the result, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, WPMP No.8716 of 2000 filed by the petitioner for interim relief is disposed of as infructuous.

G.S.SINGHVI, C.J.

February 07, 2007

svs